



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5

77 WEST JACKSON BOULEVARD

CHICAGO, IL 60604-3590

MAR 8 2017

REPLY TO THE ATTENTION OF:

AE-17J

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Charlie Hoffman
President and General Manager
Castwell Products, LLC
7800 North Austin Avenue
Skokie, Illinois 60077

RE: Finding of Violation
Castwell Products, LLC Skokie, Illinois

Dear Mr. Hoffman:

The U.S. Environmental Protection Agency is issuing the enclosed Finding of Violation (FOV) to Castwell Products, LLC (you) under Section 113(a)(3) of the Clean Air Act (the Act), 42 U.S.C. § 7413(a)(3). We find that you are in violation of Section 112 of the Act, 42 U.S.C. § 7412, and the implementing regulations at 40 C.F.R. Part 63, Subpart ZZZZZ, the National Emission Standards for Hazardous Air Pollutants (HAPs) for Iron and Steel Foundries Area Sources at your Skokie, Illinois facility.

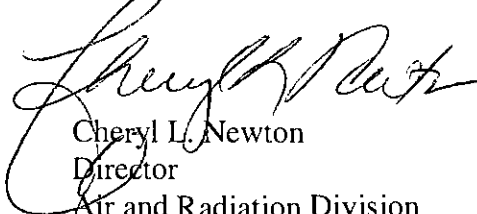
We have several enforcement options under Section 113(a)(3) of the Act, 42 U.S.C. § 7413(a)(3). These options include issuing an administrative compliance order, issuing an administrative penalty order, and bringing a judicial civil or criminal action.

We are offering you an opportunity to confer with us about the violations alleged in the FOV. The conference will give you the opportunity to present information on the specific findings of violation, the efforts you have taken to comply, and the steps you will take to prevent future violations.

Please plan for your facility's technical and management personnel to attend the conference to discuss compliance measures and commitments. You may have an attorney represent you at this conference.

The EPA contact in this matter is Jennifer Wilson. You may call her at (312) 353-3115 to request a conference. You should make the request within 10 calendar days following receipt of this letter. We should hold any conference within 30 calendar days following receipt of this letter.

Sincerely,



Cheryl L. Newton
Director
Air and Radiation Division

Enclosure

cc: Ray Pilapil, Manager
Bureau of Air
Compliance and Enforcement Section
Illinois Environmental Protection Agency
1021 North Grand Avenue East
Springfield, Illinois 62702

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5**

IN THE MATTER OF:

Castwell Products, LLC
Skokie, Illinois

Proceedings Pursuant to Section 113(a)(1)
of the Clean Air Act, 42 U.S.C.
§ 7413(a)(1)

FINDING OF VIOLATION
EPA-5-11-IL-08

FINDING OF VIOLATION

The U.S. Environmental Protection Agency (EPA) finds that Castwell Products, LLC. (Castwell) is violating Section 112 of the Clean Air Act (the Act), 42 U.S.C. § 7412, and the implementing regulations at 40 C.F.R. Part 63, Subpart ZZZZZ, the National Emission Standards for Hazardous Air Pollutants (NESHAPs) for Iron and Steel Foundries Area Sources; 40 C.F.R. Part 63, at its Skokie, Illinois, facility, as follows:

Statutory and Regulatory Authority

- 1) Section 112(d) of the Act, 42 U.S.C. § 7412(d), authorizes EPA to promulgate NESHAP regulations for particular industrial sources that emit one or more of the Hazardous Air Pollutants (HAPs) listed in Section 112(b) of the Act, 42 U.S.C. § 7412(b).
- 2) Title V of the Act, 42 U.S.C. 7661-7661f, establishes an operating permit program for certain sources, including "major sources." The purpose of Title V is to ensure that all "applicable requirements" for compliance with the Act, including PSD requirements, are collected in one place.
- 3) Pursuant to Section 502(b) of the Act, 42 U.S.C. § 7661a(b), EPA promulgated regulations establishing the minimum elements of a Title V permit program to be administered by any air pollution control agency. 57 Fed. Reg. 32,295 (July 21, 1992). Those regulations are codified at 40 C.F.R. Part 70.
- 4) On March 7, 1995, EPA granted interim approval of Illinois' Title V operating permit program. EPA granted final approval effective on November 30, 2001. 40 C.F.R. Part 70, Appendix A. The Illinois CAAPP is codified at 415 Illinois Compiled Statutes (ILCS) 5/39.5.

17. Section 502(a) of the Act, 42 U.S.C. § 7661a(a), EPA's implementing regulations at 40 C.F.R. § 70.7(b), and the pertinent provisions of the Illinois CAAPP at 415 ILCS 5/39.5 have at all relevant times made it unlawful for any person to violate any requirement of a permit issued under Title V or to operate a major source except in compliance with a permit issued by a permitting authority under Title V.
- 5) The Title V regulations are federally enforceable pursuant to Section 113(a)(3) of the CAA, 42 U.S.C. § 7413(a)(3).
 - 6) Section 113(a) of the CAA, 42 U.S.C. § 7413(a)(1), authorizes the Administrator to initiate an enforcement action whenever, among other things, the Administrator finds that any person has violated or is in violation of a requirement or prohibition of an applicable regulation or permit.
 - 7) The EPA promulgated the NESHAP for Iron and Steel Foundries Area Sources at 40 C.F.R. Part 63, Subpart ZZZZZ. These regulations apply to iron and steel foundries that are area sources of Hazardous Air Pollutants (HAPs) listed in Section 112 (b) of the Act. The regulations became effective January 2, 2008.
 - 8) 40 C.F.R. § 63.10880 states that, "You are subject to this subpart if you own or operate an iron and steel foundry that is an area source of hazardous air pollutant (HAPs) emissions".
 - 9) 40 C.F.R. § 63.10880(b) states that, "This subpart applies to each new or existing affected source. The affected source is each iron and steel foundry."
 - 10) 40 C.F.R. § 63.10880(b)(1) states that , "An affected source is existing if you commenced construction or reconstruction of the affected source before September 17, 2007."
 - 11) 40 C.F.R. to § 63.9(b)(2) states that affected sources must submit an initial notification of applicability to the Administrator within 120 days after the effective date, January 2, 2008, of Subpart ZZZZZ, or by April 2008.
 - 12) 40 C.F.R § 63.10880(f) states that, "If you own or operate an existing affected source you must determine the initial applicability of the requirements of this subpart to a small foundry or a large foundry" and "submit a written notification to the Administrator that identifies your area source as a small foundry or a large foundry no later than January 2, 2009".
 - 13) 40 C.F.R. § 63.10881 states that if you own or operate an existing affected source you must comply with the pollution prevention management practices for metallic scrap and binder formulations as described in § 63.10885(a) and § 63.10886, respectively, by January 2, 2009.
 - 14) 40 C.F.R § 63.10890 (c) states that affected sources must submit notifications of semiannual compliance status according to § 63.9(h)(1)(i) and Sections 5.2.6a and 8.6.1 of Castwell's Title V Permit by September 1 for the first half of the year in operation (January to June) and March 1 of the following year for the second half or the year (July to December).

Findings of Fact

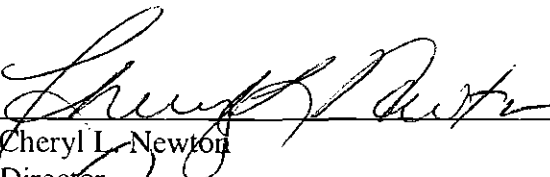
- 15) Castwell Products, LLC (Castwell) owns and operates an iron foundry at 7800 North Austin Avenue Skokie, Illinois (the Facility). According to the 5 Z NESHAP Initial Notification Castwell submitted on January 3 2011, the Facility emits naphthalene, phenol, biphenyl, benzene, xylene, and triethylamine, which are listed HAPs under the Act.
- 16) Because the Facility is an iron and steel foundry it is an affected source, and, because it was constructed prior to September 17, 2007, it is considered an existing affected source.
- 17) Castwell submitted a 40 C.F.R. § 63.9(b)(2) Initial Notification on January 3, 2011, acknowledging that they are an area source of HAPs.
- 18) Castwell submitted a 40 C.F.R. § 63.10880(f) Notification of Initial Size Classification on January 3, 2011. According to the submission, Castwell classifies itself as a small foundry.
- 19) Castwell submitted a 40 C.F.R. § 63.10890(c) Notification of Compliance Status for Management Practices for Metallic Scrap and Binder Formulations on January 3, 2011. On the Notification of Compliance Status, the date listed for the notification of compliance status is January 3, 2010.
- 20) Castwell submitted Semiannual Compliance Reports for Subpart ZZZZZ for the time period from January 2, 2009, to December 31, 2010, on January 3, 2011.

Violations

- 21) Castwell failed to submit the Initial Notification for Subpart ZZZZZ within 120 days of the effective, January 2, 2008, or by April 2008 and therefore is in violation of 40 C.F.R. § 63.9(b)(2) and the Act.
- 22) Castwell failed to submit the Notification of Initial Size Classification of its foundry by January 2, 2009, and therefore is in violation of 40 C.F.R. § 63.10880(f) and the Act.
- 23) Castwell failed to submit a Notification of Compliance Status for Management Practices for Metallic Scrap and Binder Formulations within 30 days of January 2, 2009 as specified in 40 C.F.R. § 63.10890(c).

- 24) Castwell submitted Semiannual Compliance Reports for the period from January 2, 2009, to June 30, 2010 after the deadlines for those reports, and therefore is in violation of 40 C.F.R. § 63.10890(c), Sections 5.2.6a and 8.6.1 of its Title V Permit, and the Act.

Date 3/8/11


Cheryl L. Newton
Director
Air and Radiation Division

CERTIFICATE OF MAILING

I, Betty Williams, certify that I sent a Finding of Violation, No. EPA-5-11-IL-08, by

Certified Mail, Return Receipt Requested, to:

Charlie Hoffman
President and General Manager
Castwell Products, LLC
7800 North Austin Avenue
Skokie, Illinois 60077

I also certify that I sent copies of the Finding of Violation by first class mail to:

Ray Pilapil, Manager
Bureau of Air
Compliance and Enforcement Section
Illinois Environmental Protection Agency
1021 North Grand Avenue East
Springfield, Illinois 62702

on the 8th day of March, 2011.



Betty Williams
Administrative Program Assistant
Planning and Administration Section

CERTIFIED MAIL RECEIPT NUMBER: 70091680 00007670 22 70